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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/016,982	12/14/2001	Vincent Auffray	FR920000065US1	4957

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IBM CORPORATION
IPLAW IQ0A/40-3
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EXAMINER

BASHORE, WILLIAM L

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/016,982	Applicant(s) AUFRAY ET AL.	
	Examiner William L. Bashore	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892). | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: original application filed 12/14/2001, with foreign priority filing date of 12/20/2000.
2. Claims 1-12 are pending. Claim 1 is independent.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. The claimed invention (as claimed in claim 11) is directed to non-statutory subject matter.

In regard to dependent claim 11, claim 11 claims "*A computer program comprising software code portions...*". A computer program per se is non-statutory since it is not tangibly embodied on a computer readable medium. The examiner's suggestion of amending said claim to recite "*A computer program, tangible embodied on a computer readable medium, comprising software code portions...*" will serve to overcome this rejection.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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6. **Claims 1-2, 9-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Kikinis (hereinafter Kikinis), U.S. Patent No, 5,794,259 issued August 1, 1998.**

In regard to independent claim 1, Kikinis discloses filling in data on a displayed HTML form fetched from the Internet (Kikinis Abstract, column 2 lines 1-20, Figure 2).

Kikinis discloses control code in the form of a TSR program, or a plug-in module (typically downloaded) to a Web browser (a program component) (Kikinis column 3 lines 47-56).

Kikinis discloses that the plug-in is utilized for creation of bubble menus providing data to be filled in, said data pre-stored on a computer (typically contained in memory, i.e. hard drive, buffer, etc.). Data is then filled in the HTML form accordingly (Kikinis Figure 2, column 3 lines 35-36, 45-55, 59-63, column 4 lines 8-25).

In regard to dependent claim 2, Kikinis discloses a user perusing a form for accuracy, to which corrections can be made prior to uploading the completed HTML form to its destination (i.e. a server) (Kikinis column 2 lines 19-21, column 4 lines 5-9, also Figure 2 especially item 209).

In regard to dependent claim 9, Kikinis discloses filling in forms on the Internet, said forms comprising Web forms (Kikinis column 3 lines 15-30, 32-33). It is well established that Web pages on the Internet utilize the HTTP protocol (i.e. <http://www.uspto.gov>, etc.).

In regard to dependent claims 10-12, claims 10-12 reflect the computer system, program, and computer program product comprising computer readable instructions used for performing the methods as claimed in claim 1, and are rejected along the same rationale.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. **Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kikinis.**

In regard to dependent claim 3, Kikinis does not specifically teach user authentication prior to display of an HTML form document. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kikinis to do this, since Kikinis teaches encryption and password protected access for user profiles (Kikinis column 4 lines 32-37), providing reasonable suggestion to the skilled artisan to extend user security for entering secure sites, providing the benefit of added security to sensitive Web sites (i.e. banking sites, etc.)

9. **Claims 4-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kikinis as applied to claim 1 above, and further in view of Bhatia et al. (hereinafter Bhatia), U.S. Publication No. 2002/0154162 published October 24, 2002.**

In regard to dependent claim 4, Kikinis does not specifically teach scripting (script program). However, Bhatia teaches form fill in utilizing JavaScript (Bhatia paragraphs 0057, 0088). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Bhatia to Kikinis, providing Kikinis the benefit of JavaScript for increased platform independence.

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In regard to dependent claims 5-8, Kikinis teaches categories of information (Kikinis Figure 2).

Kikinis does not specifically teach frames. However, Bhatia teaches HTML forms with frames (Bhatia paragraph 0076). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Bhatia to Kikinis, providing Kikinis the benefit of frames for a more pleasing visual appearance.

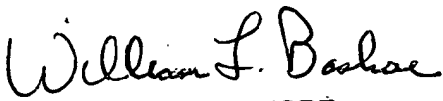
Bhatia teaches form fill in utilizing JavaScript (i.e. applets, etc.) (Bhatia paragraphs 0057, 0088).

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Bashore whose telephone number is (571) 272-4088. The examiner can normally be reached on 11:30am - 8:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


WILLIAM BASHORE
PRIMARY EXAMINER

June 12, 2005